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FPM LTR. NO. 530- 160

UNITED STATES CIVIL SERVICE COMMISSION

## FEDERAL PERSONNEL MANUAL SYSTEM

### LETTER

FPM LETTER NO. 530-160

Washington, D.C. 20415

March 12, 1971

**SUBJECT:** Temporary Authorization of Certain Special Rates to Accommodate  
Employment Commitments

*Heads of Departments and Independent Establishments:*

1. FPM Letter 530-157 of February 2, 1971, terminated and reduced certain special salary rates that were authorized in FPM Letter 530-156 of January 29, 1971. The effective date of the terminated or reduced rates as shown in FPM Letter 530-157, was the first pay period beginning on or after January 31, 1971. The timing of the changes in the special salary rates has created some problems with respect to the appointment of new employees on or after January 31, 1971 to whom agency employment commitments had been made at the higher rates authorized under FPM Letter 530-156.
2. This FPM letter provides temporary authority and procedures to permit agencies to meet employment commitments made and accepted by applicants at the higher special salary rates as shown in FPM Letter 530-156. This authority is considered necessary in order to carry out the purposes of 5 U.S.C. 5303 in these instances. (See paragraph 8 for limitations on use of authority.)
3. The following criteria apply in exercising the authority to pay the higher special rates as shown in FPM Letter 530-156:
  - a. An offer of employment must have been made at the higher special rate and the offer must have been accepted by the applicant.
  - b. The offer at the higher rate must have been made on or before February 8, 1971, and accepted by the applicant on or before the date of this FPM letter (i.e., March 12, 1971)
  - c. There must be adequate documentation to show the dates of the offer and acceptance, and the salary rate offered to the applicant. Adequate documentation shall consist of (1) an official offer of appointment at a specified dollar amount by an appropriate agency official, and (2) the acceptance of that offer by the applicant. (Such documented offer and acceptance, in whatever form it may have been recorded officially, shall be made a part of the record for any rates set for employees under this FPM letter.)

Leave and Special Pay Policy Section, Bureau of Policies and Standards  
**INQUIRIES:** Code 101, Ext. 25604 or 63-25604

**CSC CODE** 530, Pay Rates and Systems (General)

4. Appointments already made, on or after the pay period beginning January 31, 1971. Agencies will review these appointments to determine in each instance whether the offer accepted by the individual had been made at the higher special salary rate as shown in FPM Letter 530-156. If it is established that the criteria as shown in paragraph 3 above are met with respect to the individual appointment, the employee's pay will be adjusted to the higher special rate offered and accepted.

5. Offers made on or before February 8, 1971, and accepted, but applicants not yet appointed. If it is established that the criteria as shown in paragraph 3 above are met, the appointment will be made at the higher special rate previously offered and accepted, by placing the employee in the appropriate numerical step of the currently authorized salary range, or a saved rate above the range under section 530.306(b)(3) as necessary if the appointment was authorized under section 531.203(b).

6. Procedures for processing pay adjustments or appointments. If the criteria in paragraph 3 are met, the following procedures are applicable:

a. Effective Dates

(1) Employees already appointed at the rate shown in FPM Letter 530-157. Effective date for pay adjustments for these employees will be the first day of the first pay period that begins after the date of this FPM letter. Retroactive salary adjustments cannot be authorized.

(2) Appointments not yet made: The effective date of rates authorized under this FPM letter for those not yet appointed shall be the date of appointment.

b. Processing of Pay Adjustment and Appointment Action

(1) If the employee is already appointed, the employee's pay will be adjusted to that numerical step in the currently authorized rate range, either regular or special as appropriate, or a saved rate above the range under section 530.306(b)(3) as necessary if the appointment was authorized under section 531.203(b), that will match the special rate offer previously made and accepted. The pay adjustment will be processed as "894 Pay Adj.," and the authority for the action will be this FPM letter, i.e., 530-160, dated March 12, 1971.

(2) If the appointment has not yet been made, the salary rate on Standard Form 50 should be asterisked, and a reference to this FPM letter, i.e., 530-160, dated March 12, 1971, is to be entered under "Remarks" on the SF 50. The employee's pay will be set at that numerical step in the currently authorized rate range, either regular or special as appropriate, or a saved rate above the range under section 530.306(b)(3) as necessary if the appointment was authorized under section 531.203(b), that will match the special rate offer previously made and accepted.

7. Payment of Moving Expenses to First Post of Duty. Under the provisions of section 3-2b, Chapter 571, FPM, agencies, in meeting employment commitments under the provisions of this FPM letter, may pay the travel and transportation to first post of duty, under 5 U.S.C. 5723, of the appointees involved.

8. Limitation on Use of Temporary Authorization. The authority in this FPM letter is limited to meeting only those employment commitments in connection with new hires, and may not be used to accommodate internal placements (i.e., change actions), transfers, or other appointments without a break in service, made between Executive departments and agencies, and the Government of the District of Columbia.

By direction of the Commission.



Nicholas J. Oganovic  
Executive Director